

Amendments to the Claims:

This listing of claims will replace all prior versions and listings of claims in the application.

Listing of Claims:

Claim 1 (previously presented): A method of diagnosing cancer in a patient comprising assaying a sample of urine supernatant from a patient for the presence or absence of survivin, wherein the presence of survivin in the sample indicates that the patient has cancer.

Claim 2 (canceled)

²
Claim ~~3~~ (previously presented): The method of claim 1, wherein the cancer is a cancer invading the genitourinary tract.

³
Claim ~~4~~ (original): The method for claim ~~3~~,² wherein the genitourinary tract cancer is bladder or prostate cancer.

⁴
Claim ~~5~~ (previously presented): The method of claim ~~4~~,³ wherein the bladder or prostate cancer is graded as a CIS (Carcinoma *in situ*).

⁵
Claim ~~6~~ (original): The method of claim ~~5~~,³ wherein the bladder or prostate cancer is any grade or any stage.

⁶
Claim ~~7~~ (original): The method of claim 1, wherein survivin is detected using an agent selected from the group consisting of antibodies that bind survivin, survivin binding partners, and nucleic acids that hybridize to a nucleic acid encoding survivin.

⁷
Claim ~~8~~ (original): The method of claim ~~7~~,⁶ wherein the agent is tagged with a label.

⁸
Claim ~~9~~ (original): The method of claim ~~8~~, wherein the label is a radioactive label, a fluorescent label, an enzyme, or a chemiluminescent tag.

⁹
Claim ~~10~~ (original): The method of claim 1, wherein survivin is detected by an immunoassay.

¹⁰ ⁹
Claim ~~11~~ (original): The method of claim ~~10~~, wherein the immunoassay is an enzyme linked immunosorbent assay or radioimmunoassay.

¹¹ ⁹
Claim ~~12~~ (original): The method of claim ~~10~~, wherein the immunoassay comprises immunoblotting, immunodiffusion, immunoelectrophoresis, or immunoprecipitation.

¹²
Claim ~~13~~ (original): The method of claim 1, wherein survivin is detected by dot blotting.

¹³ ¹²
Claim ~~14~~ (original): The method of claim ~~13~~, wherein dot blotting comprises using a Bio-Dot SF module.

¹⁴
Claim ~~15~~ (original): The method of claim 1, wherein survivin is detected by nucleic acid hybridization.

¹⁵ ¹⁴
Claim ~~16~~ (original): The method of claim ~~15~~, wherein the nucleic acid hybridization is RT-PCR or Northern blot analysis.

¹⁶
Claim ~~17~~ (previously presented): A kit for the diagnosis, prognosis, or monitoring of cancer, comprising a container for collecting urine supernatant from a patient and an agent that detects the presence of survivin in the urine supernatant.

¹⁷ ¹⁶
Claim ~~18~~ (original): The kit of claim ~~17~~, wherein the agent is selected from the group consisting of antibodies that bind survivin, survivin binding partners, and nucleic acids that hybridize to the nucleic acid encoding survivin.

¹⁸
Claim ¹⁷~~19~~ (original): The kit of claim ~~18~~, wherein the agent is tagged with a label.

¹⁹
Claim ~~20~~ (original): The kit of claim ~~18~~, wherein the label is a radioactive label, a fluorescent label, an enzyme, or a chemiluminescent tag.

²⁰
Claim ~~21~~ (original): The kit of claim ~~17~~, wherein the agent is packaged in an aqueous medium or in lyophilized form.

²¹
Claim ~~22~~ (previously presented): The kit of claim ~~16~~, further comprising a component for analyzing the presence of survivin.

²²
Claim ~~23~~ (original): The kit of claim ~~16~~, wherein the cancer is bladder or prostate cancer.

Claim 24 (canceled)

²³
Claim ~~25~~ (currently amended): A method of determining the grade of a cancer in a patient comprising quantitating the amount of survivin in a sample of urine supernatant from a patient and comparing the amount of survivin in the sample with the amount of survivin in control samples to determine the grade of the cancer in the patient.

²⁴
Claim ~~26~~ (currently amended): A method of determining the stage of a cancer in a patient comprising quantitating the amount of survivin in a sample of urine supernatant from a patient and comparing the amount of survivin in the sample with the amount of survivin in control samples to determine the stage of the cancer in the patient.

²⁵
Claim ~~27~~ (currently amended): A method of monitoring cancer in a patient comprising quantitating the amount of survivin in a sample of urine supernatant from a patient and comparing the amount of survivin in the sample with the amount of survivin in control samples to determine the grade of the cancer in the patient, thereby monitoring cancer in a patient.

Claim 28 (canceled):

²⁶
Claim ~~29~~ (original): The method of claim 1, wherein the cancer is any cancer that expresses survivin.

Claim 30 (canceled):

²⁷
Claim ~~31~~ (original): The method of claim 1, wherein the cancer is new onset cancer or recurrent cancer.

²⁸ ²⁹
Claim ~~32~~ (original): The method of claim ~~25~~, wherein the amount of survivin is quantitated by detecting survivin RNA.

²⁹ ²⁸
Claim ~~33~~ (original): The method of claim ~~32~~, wherein the survivin RNA is detected by nucleic acid hybridization.

³⁰ ²⁹
Claim ~~34~~ (original): The method of claim ~~33~~, wherein the nucleic acid hybridization is RT-PCR or Northern blot analysis.

³¹ ²⁴
Claim ~~35~~ (original): The method of claim ~~26~~, wherein the amount of survivin is quantitated by detecting survivin RNA.

³² ³¹
Claim ~~36~~ (original): The method of claim ~~35~~, wherein the survivin RNA is detected by nucleic acid hybridization.

³³ ³²
Claim ~~37~~ (original): The method of claim ~~36~~, wherein the nucleic acid hybridization is RT-PCR or Northern blot analysis.

³⁴
Claim ~~38~~ (original): The method of claim ~~27~~²⁵, wherein the amount of survivin is quantitated by detecting survivin RNA.

³⁵
Claim ~~39~~ (original): The method of claim ~~38~~³⁴, wherein the survivin RNA is detected by nucleic acid hybridization.

³⁶
Claim ~~40~~ (original): The method of claim ~~39~~³⁵, wherein the nucleic acid hybridization is RT-PCR or Northern blot analysis.

³⁷
Claim ~~41~~ (original): The method of claim 1, wherein the presence or absence of survivin is detected by detecting the presence or absence of survivin RNA.

³⁸
Claim ~~42~~ (original): The kit of claim ~~17~~¹⁶, wherein the presence of survivin is detected by detecting survivin RNA.